

United States Environmental Protection Agency
Region 4
POLLUTION REPORT

Date: Wednesday, March 31, 2004

From: Kevin S. Misenheimer, OSC

Subject: Final POLREP
Old Fort Industrial Complex Oil Spill
One Water Street, Old Fort, NC

POLREP No.:	1	Site #:	778
Reporting Period:		D.O. #:	
Start Date:	3/24/2004	Response Authority:	OPA
Mob Date:	3/24/2004	Response Type:	Emergency
Completion Date:		NPL Status:	Non NPL
CERCLIS ID #:		Incident Category:	Removal Action
RCRIS ID #:		Contract #	
Federal Project #		Reimbursable Account #	

Site Description

On 24 March 2004, North Carolina DENR requested assistance at the Old Fort Industrial Complex (formerly Old Fort Finishing) facility in Old Fort, McDowell County, North Carolina (NRC#716874). NC DENR reported a discharge of NO. 6 oil into the storm drains and ditches at the facility, which leads to the Catawba River. Initial NCDENR reports indicated that 1,000 gallons of oil had been discharged.

Current Activities

OSC Misenheimer was dispatched to the incident scene at 1030 hours on 24 March 2004. OSC Misenheimer arrived at the scene at approximately 1430 hours. Upon arrival OSC Misenheimer met with NC DENR representatives and local emergency management staff to ascertain the circumstances surrounding the discharge of oil. It was determined that the discharge of oil was the result of a previous incident involving a ruptured valve on an above ground storage (AST) tank on the facility, which was discovered by local officials in September 2003. The OSC then met with the suspected responsible party (RP), Mr. Sam Simchon, who owns the industrial complex. According to the RP, a contractor on site using heavy equipment damaged the valve on an AST containing an unspecified amount of # 6 oil. The oil was subsequently released from the tank and flowed into the on site storm water management system, an extensive network of under ground piping, junction boxes and multiple discharge points. The exact time frame in which this event occurred was not clearly determined, however, local officials investigated the discharge of oil in September 2003.

The OSC conducted a site reconnaissance and found that oil had been discharged from the storm water outfall, into a ditch leading to the Catawba River. From the storm water

discharge point, the ditch entered a 30 inch culvert under Interstate 40 and continued on the other side of the highway for several hundred feet until its confluence with the Catawba River. The OSC discovered oil in the drainage ditch and observed evidence (oiled vegetation on river banks) that oil had been discharged to the river. In addition, the OSC discovered that oil had discharged from another storm water outfall on the site. This location is where an effort was made by the RP to recover oil during the initial spill in September 2003. An earthen, lined containment pit had been constructed to contain oil flowing from the storm water outfall while allowing water to flow out through pipes during rainfall events. At the time of the site reconnaissance, it was estimated that the pit contained several thousand gallons of # 6 oil.

2. Removal Activities To Date

On 24 March 2004, the Responsible Party mobilized Garco, Inc. to the site to begin oil containment and recovery operations. The OSC met with Garco, Inc. and the RP to discuss a plan to address the oil discharged and to identify additional sources of oil within the storm water management system. Garco, Inc. pumped approximately 2,600 gallons of oil from two of the storm water junction boxes near the ditch leading off site. In addition, crews worked on the south side of I-40, to remove pockets of oil and oiled vegetation.

On 25 March 2004, Garco, Inc. continued clean up activities. The recovered oil was off loaded into the onsite containment pit. However, after several thousand gallons of oil was placed in the pit, oil began to discharge from the outlet pipe. The OSC informed the RP that the containment pit was not acceptable to hold the recovered oil. The RP then mobilized a frac tank to the site to hold the recovered oil. Oil recovery efforts continued at the culvert underneath I-40. While flushing with water on the north side of the culvert, a vacuum truck was used to recover oil from the south side of the culvert. Approximately 800 gallons of oil was recovered from the culvert. The RP, Mr. Simchon was not on site on 25 March 2004.

On 26 March 2004, Garco, Inc. continued to remove oil from the culvert underneath I-40. Approximately 200 gallons of oil was recovered. Crews continued to clean the drainage ditch near the Catawba River and began placing straw in the ditch to absorb residual product. Several underflow dams were constructed on both the north and south side of I-40 to catch any oil released during subsequent rain fall events. The OSC met with NCDENR, and Garco, Inc. to outline subsequent actions that would be taken to mitigate the future release of oil over the next few months. NCDENR agreed to provide oversight of future RP activities. The RP, Mr. Sam Simchon, was not on site on 26 March 2004, however the OSC spoke to Mr. Simchon several times to discuss expectations of the ongoing cleanup. OSC Misenheimer demobilized at 1200 hours.

Planned Removal Actions

RP will continue response effort as outlined in the Administrative Order. NCDENR will provide oversight. Activities include maintenance of boom and sorbent pads in areas where oil may continue to be released. Also, oil will be contained in underflow dams and

removed. Further investigation of the storm water system will be carried out to identify other sources of discharge of oil. The RP will also remove oil and contaminated soil from the pit on site. This material will be disposed of off site.

Key Issues

A Clean Water Act 311(c) Administrative Order, was issued to Mr. Simchon. The Order outlined additional activities required to mitigate the continued threat of discharge of oil into the Catawba River.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
Intramural Costs				
USEPA - Direct (Region, HQ)	\$0.00	\$1,000.00	(\$1,000.00)	0.00%
Total Site Costs	\$0.00	\$1,000.00	(\$1,000.00)	0.00%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.